

**IN THE COURT OF ATUL KASANA,
ADDITIONAL SESSIONS JUDGE MOGA.
(UID No. PB0085)**

BA/CIS No.1408 of 2021
CNR No. PBMO010035292021
Decided on: 27.7.2021.

State of Punjab

Versus

Sukhmander Singh @ Mander son of Arjan Singh, resident of mehrma
Patti Madheke, Tehsil Nihal Singh Wala, District Moga.

~~~~~Applicant-accused.

FIR no. 103 dated 26.6.2021  
Under Section 61 of Excise Act.  
P.S. Nihal Singh Wala.

~~~~~

Application under Section 439 Cr.PC for grant
of regular bail.

~~~~~

Present: Sh. R.P.S.Bhullar Advocate for applicant-accused.  
Sh. Sahib Singh APP for the State.

**O R D E R**

Heard on the application for bail moved on behalf of  
applicant/accused named above under Section 439 Cr.PC, in case FIR  
no. 103 dated 26.6.2021, under Section 61 of Excise Act, P.S. Nihal  
Singh Wala.

2. Notice of the bail application was issued to the State and  
record from the police Station concerned was requisitioned.

3. Learned counsel for the applicant submits that the  
accused/applicant is innocent and has been falsely implicated in the  
present case. He is in custody since long. On these submissions, he has  
prayed for acceptance of the bail application.

4. On the other hand, the learned APP for the State has  
opposed the bail application on the assertions that 400 litres lahan has

Atul Kasana,  
ASJ/Moga

been recovered from possession of accused/ applicant and keeping in view the heavy recovery of lahan, the accused/applicant is not entitled to concession of bail. On these submissions, he has prayed for dismissal of the present bail application.

5. As per prosecution version, 400 litres lahan has been recovered from possession of accused/applicant. The alleged recovery has already been effected. The accused/applicant is in custody since 26.6.2021. The presentation of challan and thereafter, its conclusion shall take considerable time. Criminal liability of the applicant/accused, if any shall be determined during the course of trial. No useful purpose would be served by keeping the applicant/accused behind the bar for an indefinite period. Hence, the application is allowed applicant/accused is ordered to be released on bail subject furnishing bail bonds/surety bonds in the sum of ₹ 50,000/- with one surety in the like amount to the satisfaction of learned Illaqa/Duty Magistrate. Bail application is allowed accordingly and papers of this bail application be consigned to the Record Room.

**Pronounced:**

**Dt.27.7.2021.**

Sanjeev Kumar, Stenographer

**(Atul Kasana)**

**Additional Sessions Judge, Moga.**

UIDPB0085

Atul Kasana,  
ASJ/Moga